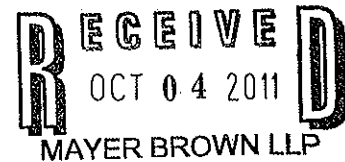


**EXHIBIT B**



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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13  
14 IN RE: HIGH-TECH EMPLOYEE  
15 ANTITRUST LITIGATION

Master Docket No. 11-CV-2509-LHK

16 THIS DOCUMENT RELATES TO:  
17 ALL ACTIONS

18  
19 **PLAINTIFFS' FIRST SET OF**  
20 **INTERROGATORIES RE:**  
21 **IDENTIFICATION OF WITNESSES**

22 Pursuant to Federal Rule of Civil Procedure 33, Plaintiffs request that Defendants each  
23 separately answer the following interrogatories under oath within thirty days.

24 **DEFINITIONS**

- 25 1. Unless otherwise defined, all words have their common meaning.
- 26 2. "Agreement" means any oral or written contract, arrangement or understanding,  
27 whether formal or informal, between two or more Co-Conspirators, together with all  
28 modifications and amendments thereto, regarding:
- a. cold-calling or any other employee recruiting method;
  - b. notification to a Co-Conspirator upon making an offer of employment to a  
Co-Conspirator's employee;

1 c. restrictions on the manner, timing, or content of the terms of an  
2 employment offer, or counteroffer, you made, or could have made, to potential or current  
3 employees;

4 d. limiting competition for labor in any way;

5 e. restricting employee compensation in any way; or

6 f. enforcement, monitoring, or implementation of any of the above  
7 understandings, agreements, commitments, contracts, or proposals.

8 3. "All" should be construed to include the collective as well as the singular, and  
9 means "each," "any," and "every."

10 4. "Antitrust regulatory authority" means any governmental antitrust regulatory or  
11 investigative entity, whether domestic or foreign, including but not limited to the United States  
12 Department of Justice, United States Federal Trade Commission, the California Attorney General,  
13 or any grand jury investigation.

14 5. "Cold-calling" and "cold-call" means communicating directly in any manner  
15 (including, without limitation, orally, in writing, telephonically, or electronically) with a potential  
16 employee who has not otherwise applied for a job.

17 6. "Co-Conspirators" include: Adobe Systems Inc., Apple Inc., Google Inc., Intel  
18 Corp., Intuit Inc., Lucasfilm Inc., Pixar, and DOES 1-200 as defined in the Consolidated  
19 Amended Complaint.

20 7. "Communication" means oral or written communications of any kind, including  
21 without limitation, electronic communications, e-mails, facsimiles, telephone communications,  
22 correspondence, exchanges of written or recorded information, or face-to-face meetings.

23 8. "Employee" means, without limitation, any current or former officer, director,  
24 executive, manager, secretary, staff member, messenger, agent or other person who is or was  
25 employed by a Defendant or Co-Conspirator in a salaried, non-retail capacity.

26 9. "Meeting" means, without limitation, any assembly, encounter, or  
27 contemporaneous presence (whether in person or via any electronic computer-assisted, digital,  
28

1 analog, or telephonic method of communication) of two or more persons for any purpose,  
 2 whether planned, arranged, scheduled, or not.

3 10. "Or" should be construed to require the broadest possible response, and should be  
 4 read as "and/or."

5 11. "Person" includes without limitation any natural person, corporation, partnership,  
 6 government entity, and any other form of legal or business entity.

7 12. "Relating to," "referring to," "regarding," or "with respect to" mean without  
 8 limitation discussing, describing, reflecting, dealing with, pertaining to, analyzing, evaluating,  
 9 estimating, constituting, concerning, containing, mentioning, studying, surveying, projecting,  
 10 assessing, recording, summarizing, criticizing, reporting, commenting or otherwise involving, in  
 11 whole or in part.

12 13. "Subsidiary," "affiliate," and "joint venture" refer to any entity or person in which  
 13 you have any financial or ownership interest.

14 14. "You," "your," or "your company" means its predecessors, successors,  
 15 subsidiaries, departments, divisions, affiliates, and/or agents (including, without limitation, any  
 16 third-party recruiting, hiring, or headhunting firm), together with all present and former directors,  
 17 officers, employees, agents, representatives, or any persons acting or purporting to act on behalf  
 18 of you.

### 19 INSTRUCTIONS

20 1. Where an interrogatory asks you to "identify" a person or persons, this includes  
 21 persons no longer employed by you. In the case of such former employees, agents, or executives,  
 22 provide their last known employment and residence information and state whether they have  
 23 counsel or may be contacted through your counsel. In the case of a current employee, agent, or  
 24 executive who may be contacted through your counsel, you need only provide the person's name,  
 25 specific employer, and state of primary residence. If the current employee, agent, or executive  
 26 has not agreed to accept service through counsel, please provide their contact information,  
 27 including place of primary residence. In all cases identify the person's job title(s) or job  
 28

1 description(s) from January 1, 2003, to the present, and the years about which the person has the  
2 knowledge identified by the interrogatory.

3 2. Where an interrogatory requests identification of persons with "substantial  
4 knowledge" of particular facts, you may answer by identifying the person or persons who on a  
5 relative basis have greater knowledge or were more involved than others in the specified  
6 activities.

7 3. If any answer to an interrogatory or part thereof is withheld on a claim of  
8 privilege, identify the privilege asserted and state in detail sufficient facts to establish the basis for  
9 the privilege. For each interrogatory with respect to which you assert a claim of privilege, state  
10 whether the information requested has ever been provided to the Government or any party other  
11 than you or your attorneys.

12 4. All interrogatories call for information about the time period of January 1, 2003  
13 through the present.

14 5. The obligation to answer these interrogatories is continuing pursuant to Rule 26(e)  
15 of the Federal Rules of Civil Procedure. If at any time after answering these interrogatories you  
16 discover additional information that will make your answers to these interrogatories more  
17 complete or correct, amend your answers as soon as reasonably possible.

## 18 INTERROGATORIES

### 19 INTERROGATORY NO. 1:

20 In order of corporate seniority, identify your employees who participated in decisions  
21 regarding agreements or discussions about agreements.

### 22 INTERROGATORY NO. 2:

23 Of the persons identified in response to Interrogatory No. 1, identify all persons who have  
24 substantial knowledge of corporate decisions regarding agreements or discussions about  
25 agreements.

### 26 INTERROGATORY NO. 3:

27 In order of corporate seniority, identify all your employees not identified in response to  
28 Interrogatory Nos. 1 and 2 who have known about agreements or discussions about agreements.

1 **INTERROGATORY NO. 4:**

2 Of the persons identified in response to Interrogatory No. 3, identify those who have  
3 substantial knowledge regarding corporate decisions relating to agreements or discussions about  
4 agreements.

5 **INTERROGATORY NO. 5:**

6 Identify your executives, employees, or agents who participated in multilateral meetings  
7 or communications with competitors in which agreements or discussions about agreements  
8 occurred.

9 **INTERROGATORY NO. 6:**

10 Of the persons identified in response to Interrogatory No. 5 above, identify those who  
11 have substantial knowledge regarding the substance of the agreements or discussions about  
12 agreements.

13 **INTERROGATORY NO. 7:**

14 Identify your executives, employees, or agents who participated in bilateral meetings or  
15 communications with competitors about agreements.

16 **INTERROGATORY NO. 8:**

17 Of the persons identified in response to Interrogatory No. 7 above, identify those who  
18 have substantial knowledge regarding the substance of the bilateral meetings and communications  
19 with competitors.

20 **INTERROGATORY NO. 9:**

21 Identify your employees who were involved in implementing, policing, or enforcing the  
22 discussions or agreements, or who have substantial knowledge of the implementation, policing, or  
23 enforcement of agreements or discussions.

24 **INTERROGATORY NO. 10:**

25 Of the persons identified in response to Interrogatory No. 9 above, identify those who  
26 have substantial knowledge regarding the implementation, policing, or enforcement of the  
27 agreements or discussions.  
28

**INTERROGATORY NO. 11:**

Identify your employees who have knowledge of the effect(s) of the agreements on the compensation of your employees, or on the compensation of any Co-Conspirator's employees.

**INTERROGATORY NO. 12:**

Of those persons identified in response to Interrogatory No. 11 above, identify those employees having substantial knowledge of the effect(s) of the agreements or discussions about agreements on the compensation of your employees, or on the compensation of any Co-Conspirator's employees.

**INTERROGATORY NO. 13:**

In order of corporate seniority, identify your employees who participated in discussions with any antitrust regulatory authority regarding agreements or discussions about agreements.

**INTERROGATORY NO. 14:**

Of the persons identified in response to Interrogatory No. 13 above, identify all persons who have substantial knowledge of discussions with any antitrust regulatory authority regarding agreements or discussions about agreements.

Dated: October 3, 2011

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

By:   
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